



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Watson for Senate  
Todd Watson, Treasurer  
2855 South 70th Street, Suite 200  
Lincoln, NE 68506-3700

**MAY 31 2018**

RE: MUR 7306  
Watson for Senate  
and Todd Watson, as treasurer

Dear Mr. Watson:

On December 22, 2017, the Federal Election Commission ("Commission") notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"), and on January 31, 2018, the Commission notified you of an amendment to the complaint. On May 15, 2018, based upon the information contained in the complaint and information provided by you, the Commission decided to dismiss allegations that Watson for Senate, and you, in your official capacity as treasurer, violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Don Campbell, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in black ink, appearing to read "Jeff S. Jordan".

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure:  
General Counsel's Report

**BEFORE THE FEDERAL ELECTION COMMISSION**

**ENFORCEMENT PRIORITY SYSTEM  
DISMISSAL REPORT**

**MUR: 7306**

**Respondents: Watson for Senate  
and Todd Watson, as Treasurer  
("the Committee")  
Todd Watson<sup>1</sup>**

**Complaint Receipt Date: December 19, 2017**

**Amendment Receipt Date: January 26, 2018**

**Response Date: January 18, 2018**

**EPS Rating:**

**Alleged Statutory  
Regulatory Violations:**

**52 U.S.C. § 30101(2)(A), (B);  
11 C.F.R. §§ 100.3(a)(1), (2); 101.1(a)**

The Complaint alleges that Watson failed to file a Statement of Candidacy. Specifically, the Complaint states that Watson spent at least \$5,836.90 on radio ads in November 2017, and solicited contributions on his campaign website, Twitter, and Facebook, but had failed to file proper forms with the FEC.<sup>2</sup> An Amendment to the Complaint<sup>3</sup> states that Watson spent an additional \$2,473.50 in November 2017. In his Response, Watson acknowledged that he had not timely filed his Statement of Candidacy. The available information indicates that Watson mailed a Statement of Candidacy to the Secretary of the Senate on December 18, 2017, and it was received by the Secretary of the Senate on January 2, 2018.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity

<sup>1</sup> Watson is a 2018 candidate for United States Senate in Nebraska. Watson was previously a Senate candidate in 2014, and lost in the general election with 1.2% of the vote.

<sup>2</sup> The Complaint attached copies of broadcast contracts and sales receipts for radio ads totaling \$5,836.90, dated November 21-22, 2017. The Complaint Amendment attached copies of broadcast contracts and sales receipts for radio ads totaling \$2,473.50, dated November 21, 2017. The Committee reported these disbursements, as well as \$1,700 in additional radio ad disbursements, on its 2017 Year-End Report, filed January 31, 2018.

<sup>3</sup> Respondents did not respond to the January 26, 2018, amendment to the Complaint.

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and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating, and the fact that Watson and the Committee have now filed Statements of Candidacy and Organization, we recommend that the Commission dismiss the complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources.<sup>4</sup> *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

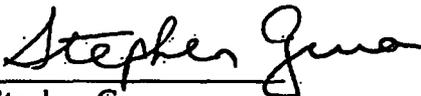
Lisa J. Stevenson  
Acting General Counsel

Kathleen M. Guith  
Associate General Counsel

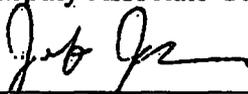
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Date

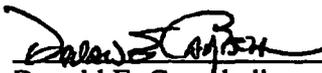
BY:



Stephen Gura  
Deputy Associate General Counsel



Jeff S. Jordan  
Assistant General Counsel



Donald E. Campbell  
Attorney

<sup>4</sup> Watson filed his Statement of Candidacy only eleven days beyond the apparent due date of December 7, 2017, and this late submission did not cause the Committee to miss filing its first required report, the 2017 Year-End Report, which disclosed its formation activities.